

MAY 10 1999

Box AF

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

KOPCHICK, et al.

Serial No.: 08/488,164

Filed: June 7, 1995

For: DNA ENCODING GROWTH HORMONE

Art Unit: 1646

Examiner: SAOUD, C.

Washington, D.C.

Date: May 6, 1999

Docket No.: KOPCHICK=1E



604/1646

#19
J.G.J
5/11/99

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

Hon. Commissioner of Patents and Trademarks
Washington, D. C. 20231

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the final rejection (or the rejection of claims for at least the second time), dated November 6, 1998 of the Primary Examiner. The claims appealed are 10-45, 62-63, 65-73.

The item(s) checked below are appropriate:

- XX Small entity status of this application under 37 CFR 1.9 and 1.27 has been established by a verified statement previously submitted.
- A verified statement to establish small entity status under 37 CFR 1.9 and 1.27 is enclosed.
- XX The fee has been calculated as shown below:
- XX \$300.00 (small entity)
- \$150.00 (fee paid in prior appeal)
- XX Applicant hereby petitions for an extension of time in accordance with 37 CFR 1.136(a). The appropriate fee required by 37 CFR 1.17 is calculated as shown below:

Response filed within:

— first - \$ 55.00
— second - \$190.00
XX third - \$435.00
— fourth - \$680.00

Response filed within:

— first - \$ 110.00
— second - \$ 380.00
— third - \$ 870.00
— fourth - \$1,360.00

month after time period set.

month after time period set.

— Less fees (\$) already paid for month(s) extension of time on

- XX Check number 21848 in the amount of \$585.00 is attached.
- XX please charge any deficit in the fee paid herewith to my Deposit Account No. 02-4035.

05/07/1999 HBLAHC0 00000046 08488164

01 FC:219 150.00 DP
02 FC:217 435.00 DP

Telephone: (202) 628-5197
Facsimile: (202) 737-3528
IPC:lms
user19/vp/d-f/kop164us.nap

Respectfully submitted,

BROWDY AND NEWMARK, P.L.L.C.
Attorneys for Applicant(s)

By

Iver P. Cooper
Reg. No. 28,005